

JC03 Rec'd PCTO 13 SEP 2005

CASE ON/4-32739A

#6

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

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Sept. 13, 2005  
Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

ALL-ERICSSON ET AL.

INTERNATIONAL APPLICATION NO: PCT/EP03/11601

FILED: OCTOBER 20, 2003

U.S. APPLICATION NO.: 10/531,967

35 USC §371 DATE:

FOR: TREATMENT OF UVEAL MELANOMA

**MS: Missing Parts**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Sir:

The Notice to File Missing Parts of Application mailed September 6, 2005 (a copy of which is enclosed) has a shortened statutory time set to expire on November 6, 2005.

In response, applicants now submit an original or copy of a fully executed Declaration and Power of Attorney. Please charge the \$130 surcharge fee under 37 CFR §1.16(e) to Deposit Account No. 19-0134 in the name of Novartis.

The "Notification of Missing Requirements under 35 U.S.C. 371" requests that the nucleotide and/or amino sequence disclosure comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825. However, the present application does not contain a nucleotide or amino acid sequence. Therefore it is respectfully requested that this requirement be withdrawn from the "Notification of Missing Requirements Under 35 U.S.C. 371."

09/20/2005 ATRAN1 00000139 190134 10531967

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The Commissioner is hereby authorized to charge any additional fees under 37 CFR §1.17 which may be required, or credit any overpayment, to Account No. 19-0134 in the name of Novartis.

A duplicate copy of this letter is provided for charging purposes.

Respectfully submitted,

Novartis  
Corporate Intellectual Property  
One Health Plaza, Building 104  
East Hanover, NJ 07936-1080  
(862) 778-7898

Date: *Sept 13, 2005*

*Lydia McNally*  
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Lydia T. McNally  
Attorney for Applicants  
Reg. No. 36,214



## UNITED STATES PATENT AND TRADEMARK OFFICE

Rec'd PCT/PTO 13 SEP 2005

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/531,967	Charlotta All-Ericsson	ON/4-32739A
INTERNATIONAL APPLICATION NO.		
PCT/EP03/11601		
LA. FILING DATE	PRIORITY DATE	
10/20/2003	10/21/2002	

1095  
 NOVARTIS  
 CORPORATE INTELLECTUAL PROPERTY  
 ONE HEALTH PLAZA 104/3  
 EAST HANOVER, NJ 07936-1080

LTM

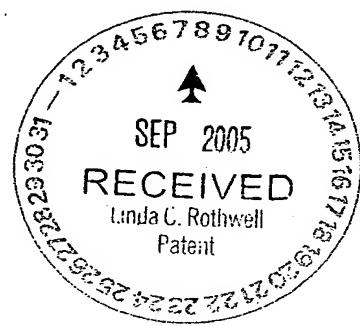
CONFIRMATION NO. 4092  
 371 FORMALITIES LETTER  
 \*OC000000016943446\*  
 \*OC000000016943446\*

Date Mailed: 09/06/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/20/2005
- Copy of the International Search Report filed on 04/20/2005
- Copy of IPE Report filed on 04/20/2005
- Preliminary Amendments filed on 04/20/2005
- Information Disclosure Statements filed on 04/20/2005
- Oath or Declaration filed on 04/20/2005
- U.S. Basic National Fees filed on 04/20/2005
- Priority Documents filed on 04/20/2005
- Power of Attorney filed on 04/20/2005
- Specification filed on 04/20/2005
- Claims filed on 04/20/2005
- Abstracts filed on 04/20/2005



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the

**SEQUENCE LISTING REQUIRED**

DOCKETED FOR: Nov. 6, 2005

missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

• **\$130 Surcharge.**

- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c) Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a)..

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.

10/531,967

INTERNATIONAL APPLICATION NO.

PCT/EP03/11601

ATTY. DOCKET NO.

ON/4-32739A

FORM PCT/DO/EO/905 (371 Formalities Notice)